

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PETER DELVECCHIA, individually))	
and as next friend of A.D., a))	Case No.
Minor,)	2:29-cv-01322-KJD-NJK
)	
Plaintiffs,)	
)	
vs.)	
)	
FRONTIER AIRLINES, INC., and))	
JOHN DOES 1 through 5,)	
inclusive,)	
)	
Defendants.)	
_____)	

VIDEOTAPED DEPOSITION OF A.D.

Taken on Tuesday, January 28, 2020

At 10:02 o'clock a.m.

At 9950 West Cheyenne Avenue

Las Vegas, Nevada

Reported by: Helen M. Zamba, CCR #439

Page 2					Page 4				
1	APPEARANCES:				1	THE VIDEOGRAPHER: Good morning. We are now			
2	For the Plaintiffs: JOHN D. McKAY, ESQ.				2	on the record.			
3	Park Avenue Law				3	This begins videotape number 1 in the			
4	127 West Fairbanks Avenue				4	deposition of A.D., a minor in the matter of Peter			
5	Suite 519				5	Delvecchia, et al. versus Frontier Airlines, Inc. in			
6	Winter Park, Florida 32789				6	United States District Court, State of Nevada, Case			
7	(800) 391-3654				7	Number 2:19-CV-01322-KJD-NJK.			
8	johndmckayatty@gmail.com				8	Today's date is January 28th, 2020. The time			
9	For the Defendants: BRIAN T. MAYE, ESQ.				9	is 10:02 a.m.			
10	Adler Murphy & McQuillen				10	This deposition is being taken at			
11	20 South Clark Street				11	9950 West Cheyenne Avenue in Las Vegas, Nevada, at the			
12	Suite 2500				12	request of Adler Murphy McQuillen, LLP.			
13	Chicago, Illinois 60603				13	The videographer is Dawn Beck of Magna Legal			
14	bmaye@amm-law.com				14	Services, and the court reporter is Helen Zamba of			
15	The Videographer: DAWN BECK				15	Magna Legal Services.			
16	Also Present: PETER DELVECCHIA				16	Will counsel and all parties present state			
17					17	their appearances and whom they represent.			
18					18	MR. McKAY: I'm John McKay of Park Avenue			
19					19	Law, and I represent the plaintiffs.			
20					20	MR. MAYE: Brian Maye for Frontier Airlines.			
21					21	THE VIDEOGRAPHER: Will the court reporter			
22					22	please swear in the witness.			
23					23	Thereupon--			
24					24	A.D.			
25					25	was called as a witness by the Defendants, and having			
Page 3					Page 5				
1	I N D E X				1	been first duly sworn, testified as follows:			
2	Witness	Direct	Cross	Red. Rec.	2	(Counsel stipulated to waive the			
3	A.D.				3	requirements under			
4	(By Mr. Maye)	5		115	4	Rule 30(b)(4).)			
5	(By Mr. McKay)		107		5	DIRECT EXAMINATION			
6					6	BY MR. MAYE:			
7					7	Q. Yes, A.D., so I'm going to just go over some			
8					8	basic ground rules to help us with the deposition			
9					9	today.			
10					10	One is what your counsel mentioned. Please			
11					11	try to speak up when answering. Okay?			
12					12	A. (Witness nodding head.)			
13					13	Q. And the second piece of advice for you is			
14	Number	Description		Page	14	when answering, you need to say -- you need to			
15		(None)			15	verbalize your answers.			
16					16	Yes, no, I understand, instead of nodding or			
17					17	going like this or saying uh-huh.			
18					18	A. Yes, sir.			
19					19	Q. Okay. There -- perfect. So I think			
20					20	you'll -- you're going to be fine today.			
21					21	And if you have any questions, certainly you			
22					22	can stop me and say I don't understand, can you repeat			
23					23	the question. That's fine.			
24					24	And if I'm asking a question, try to wait for			
25					25	me to finish -- if I'm asking a question, try to wait			

Page 66	Page 68
<p>1 Q. Okay. And then -- and then she ultimately</p> <p>2 did move you to new seats?</p> <p>3 A. Yes. She moved us to new seats.</p> <p>4 Q. After you were moved and before you were</p> <p>5 separated, did any flight attendant ask you if you</p> <p>6 wanted food or a drink?</p> <p>7 A. No. I don't remember. I don't -- okay. I</p> <p>8 don't remember.</p> <p>9 Q. Yeah.</p> <p>10 A. I don't know.</p> <p>11 Q. That's totally fine. You don't remember.</p> <p>12 Before being separated from your father, do</p> <p>13 you recall your father ever rubbing your face?</p> <p>14 A. Can you make the question a little easier?</p> <p>15 Q. Sure. At some point on the flight, you were</p> <p>16 separated from your father.</p> <p>17 Do you recall that?</p> <p>18 A. Yes, we were separated.</p> <p>19 Q. Okay.</p> <p>20 A. Got it.</p> <p>21 Q. Before that happened --</p> <p>22 A. Before it happened, yeah.</p> <p>23 Q. -- do you recall your father ever rubbing</p> <p>24 your face?</p> <p>25 A. Yes.</p>	<p>1 A. Yeah.</p> <p>2 Q. Is that something he does frequently at home?</p> <p>3 A. Uh-huh.</p> <p>4 Q. Yes?</p> <p>5 A. Yes.</p> <p>6 Q. And is that something he does out in public?</p> <p>7 A. Yeah.</p> <p>8 Q. Yes?</p> <p>9 A. Wait, so you're -- yes.</p> <p>10 Q. Do you have a question?</p> <p>11 A. Um, are you trying to say that before the</p> <p>12 incident happened, he was being affectionate? Is that</p> <p>13 what you're saying?</p> <p>14 Like rubbing my face, is that what you're</p> <p>15 saying, before it happened?</p> <p>16 Q. Before or after.</p> <p>17 A. So you're adding before and after.</p> <p>18 Q. Yes. Well -- well, let me -- let me --</p> <p>19 A. Not as much after, because --</p> <p>20 Q. Okay.</p> <p>21 A. -- of the incident. But before the incident</p> <p>22 happened, yes, he did.</p> <p>23 Q. Okay. Let's stick with just before.</p> <p>24 A. Okay.</p> <p>25 Q. Before the incident and now, does your</p>
Page 67	Page 69
<p>1 Q. Okay. And do you recall why he was rubbing</p> <p>2 your face?</p> <p>3 A. Just being a loving, regular father.</p> <p>4 Q. Okay. And do you recall how many times he</p> <p>5 did that?</p> <p>6 A. Two times. I don't really remember, just</p> <p>7 because it's what any other father does. So I don't</p> <p>8 need to count how many times.</p> <p>9 Q. Okay. And do you recall how long he was</p> <p>10 rubbing your face for?</p> <p>11 A. No, I don't really need to. He was just</p> <p>12 being loving, so why -- why do I need to say one, two,</p> <p>13 three, four, five?</p> <p>14 Q. I'm just -- just asking if you recall.</p> <p>15 That's all.</p> <p>16 A. Okay.</p> <p>17 Q. So you don't -- you don't recall?</p> <p>18 A. No.</p> <p>19 Q. Okay. Is -- does your father rub your --</p> <p>20 your face frequently at home?</p> <p>21 A. Yeah.</p> <p>22 Q. And how about when you're out in public?</p> <p>23 A. Yes.</p> <p>24 Q. Prior to being separated on the plane, do you</p> <p>25 recall your father rubbing your back?</p>	<p>1 father -- or before the incident, did your father rub</p> <p>2 your back at home?</p> <p>3 A. Yes. Before the incident happened, yes, he</p> <p>4 did --</p> <p>5 Q. Okay.</p> <p>6 A. -- do it.</p> <p>7 Q. And how about after the incident, at home?</p> <p>8 A. Less.</p> <p>9 Q. At home --</p> <p>10 A. Yes.</p> <p>11 Q. -- less. Okay. And -- and how about in</p> <p>12 public?</p> <p>13 A. A lot less.</p> <p>14 Q. How about -- oh, after the incident at home,</p> <p>15 less.</p> <p>16 A. Yes.</p> <p>17 Q. And after the incident in public, less.</p> <p>18 A. Yes.</p> <p>19 Q. Prior to being separated on the plane, did</p> <p>20 you have any -- do you follow that?</p> <p>21 A. So when -- what do you mean by prior, when</p> <p>22 the incident --</p> <p>23 Q. Before.</p> <p>24 A. -- happened? Before.</p> <p>25 Q. Yeah, so before. So --</p>